

To insure proper potencies additional vitamins and minerals were added.  
\* \* \* Universal Nutritions, Inc., Dist. New York 13, N.Y."

ACCOMPANYING LABELING: Leaflets entitled "Universal Nutrition \* \* \* Fall, 1960."

LIBELED: 12-9-60, N. Dist. Calif.

CHARGE: 402(a)(2)(C)—when shipped and while held for sale, the article contained a food additive, namely, folic acid, which was unsafe within the meaning of section 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to section 409; and 403(a)—the listing on the label of the article of the ingredients, namely, alfalfa leaves, Pacific Coast kelp, parsley, zein, soy bean, watercress, choline dihydrogen citrate, dl-methionine, inositol, para-aminobenzoic acid, biotin, vitamin K (Menadione), rutin, manganese, cobalt, copper, zinc, magnesium, potassium, fluorine, molybdenum, chlorophyllins, and lemon bioflavonoid complex (additional nutritional factor), was false and misleading since such listing represented that the ingredients so listed were present in nutritionally significant quantities for special dietary uses, whereas, such ingredients were not present in nutritionally significant quantities for special dietary uses.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices.

DISPOSITION: Universal Nutritions, Inc., claimed the article and filed an answer. Thereafter, on or about 1-30-61, pursuant to stipulation of the parties, the case was removed to the U.S. Dist. Court for Dist. N.J.

On or about 8-28-61, the libel was amended to allege that the article was adulterated within the meaning of 402(a)(2)(C) in that it contained an unsafe food additive.

On 11-29-61, the claimant having consented to a decree on the ground that the article was adulterated as alleged and without an adjudication of the misbranding charge, judgment of condemnation and destruction was entered. On 12-7-61, an amendment to the above decree ordered the U.S. marshal for the N. Dist. of Calif. to destroy the article.

27896. Addit 'Hi-Vi' Reducing Aid. (F.D.C. No. 45502. S. No. 20-520 R.)

QUANTITY: 62 cases, 24 ctn. vials each, at Detroit, Mich.

SHIPPED: 4-6-59, from Buffalo, N.Y., by Addit Co.

LABEL IN PART: (Ctn.) "Contents 120 Grams ADDIT 'Hi-Vi' Reducing Aid Multi Vitamin-Mineral Tonic For maintaining vitality while reducing Taken before meals, helps reduce appetite. Distributed by Addit Co., Grosse Pointe 36, Mich."

ACCOMPANYING LABELING: Leaflets in carton entitled "Reducer's Recipes" and "The ADDIT Plan For Reducing For Increasing Vitality For Gaining Weight."

LIBELED: 3-8-61, E. Dist. Mich.

CHARGE: 403(a)—when shipped, the labeling of the article contained false and misleading representations that the article satisfied hunger, was a multi-vitamin-mineral tonic, was rich, filling, and energy giving, and was a refresher, that the minimum daily requirement for niacinamide had not been established, that milk and Addit constituted complete nutrition, and that the vitamins and minerals in the article were not present in the ordinary foods of the diets of children; 403(i)(2)—the label of the article failed to bear the common or usual

name of each ingredient since "Protein" was not the specific name of that ingredient; and 403(j)—the article purported to be and was represented as a food for special dietary use by reason of its vitamin and mineral content and its label failed to bear, as required by regulations, a statement of the percent by weight of protein, fat, and available carbohydrates in the article.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6614.

DISPOSITION: 4-18-61. Default—destruction.

27897. Vitest vitamin capsules. (F.D.C. No. 45267. S. No. 2-140 R.)

QUANTITY: 1,089 30-capsule btls. at St. Petersburg, Fla., in possession of Silver Rod Vitamin Co.

SHIPPED: Between 10-15-59 and 8-29-60, from St. Louis, Mo., by Shaw Pharmaceutical Co.

LABEL IN PART: (Btl.) "30 Gelets Vitest Vitamin Tested Vitamin Capsules Sugar Free Distributed by Silver Rod Vitamin Co. St. Petersburg 6, Fla. contains 'wonder' citrus bioflavonoids complex a food supplement."

ACCOMPANYING LABELING: Leaflets entitled "Vitest Sugar Free Vitamin Tested Vitamins," "Vitest Vitamin Capsules With CB," "Now New Vitest Capsules," and "How to Start Living and Stop Worrying."

RESULTS OF INVESTIGATION: Upon receipt of the article, the dealer repacked a number of the bottles of the article into shipping containers and placed a number of the above-mentioned leaflets in each container. The leaflets were printed on order of the dealer and used in promoting the sale of the article.

LIBELED: 12-5-60, S. Dist. Fla.

CHARGE: 403(a)—when shipped, the label statement "Contains 'wonder' citrus bioflavonoids complex" was false and misleading since it represented and suggested that the presence of citrus bioflavonoids was of unusual benefit for special dietary uses, whereas, such representation and suggestion was contrary to fact; and the label statement "dl-methionine \* \* \* magnesium \* \* \* copper, potassium \* \* \* need in human nutrition not established" was false and misleading since it was contrary to fact; 403(a)—while held for sale the accompanying labeling of the article contained false and misleading representations that the need for citrus bioflavonoids in human nutrition had been established, that the article contained significant amounts of lipotropic factors for special dietary use, and in comparing the vitamin and mineral content with those of ordinary foods it was usually impossible to obtain an adequate supply of vitamins and minerals in the ordinary diet.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6613.

DISPOSITION: 4-3-61. Default—destruction.

27898. Coldene vitamin tonic with iron. (F.D.C. No. 44918. S. No. 7-501 R.)

QUANTITY: 600 cases of 12 individually cartoned 8-oz. btls. at Norwood, Mass.

SHIPPED: 11-2-59 and 11-3-59, from New York, N.Y., by Mary Scott Rowland, Ltd.

LABEL IN PART: (Btl. and ctn.) "Coldene Vitamin Tonic with Iron \* \* \* giving therapeutic amounts of vitamins important to supplement the diet of